

SCHOOL BUS RIDER DISCIPLINE CODE GUIDELINE

Code _____ Issued _____

Students are subject to both the Code of Conduct under school board policy and this School Bus Rider Discipline Code.

The riding of a school bus by students is a privilege. Eligible students are initially granted the privilege of school transportation service; however, after the initial service all eligible students must earn the privilege by following this Discipline Code and Code of Conduct. The school board expects that while students are utilizing the student transportation services, they will conduct themselves in a manner consistent with the district's Student Code of Conduct. All school bus riders must cooperate fully with their school bus drivers and aides/monitors and must conduct themselves properly at all times.

School bus drivers have responsibility for the supervision of students on the bus and when they are in the immediate vicinity of the school bus during loading and unloading. School bus drivers shall report to the appropriate school principal, or the district's designee, the name of any student whose conduct interferes with the safe driving, operation, loading, or unloading of the bus; who acts disruptively; or who violates the Code of Conduct or laws. The principal, or the district's designee, has the responsibility of investigating reports made by the bus driver regarding incidents of student misconduct and any student disciplinary actions taken by a school bus driver. The principal, or the district's designee, as authorized by state law and regulation and school district policy, has the authority to deny school bus transportation to a student and to issue sanctions for conduct that is persistently or flagrantly detrimental to the safe and/or orderly operation of a school bus or in violation of the Code of Conduct or laws.

Misconduct includes *disorderly*, *disruptive*, and *criminal conduct* as set forth in the Administrative Rule and includes, but is not limited to, the following behavior on or around a bus or at a bus stop while the bus is present:

- getting on or off the bus at an unauthorized stop without permission;
- eating and/or drinking on the bus;
- standing or sitting improperly while the bus is moving;
- violating any safety procedures;
- intentionally riding a bus other than the assigned one without permission from the principal or the district's designee;
- continually making loud noises, yelling, and the like;
- pushing, tripping, engaging in general horseplay;
- encouraging others to misbehave;
- defacing property (writing or marking on the bus);
- littering inside the bus;
- possessing and/or using any tobacco product or other illegal substances on the bus;
- throwing objects out of bus;
- throwing objects inside of the bus;

- throwing objects at the bus;
- refusing to sit in an assigned seat;
- using profanity, abusive language, and/or obscene gestures;
- having hands, arms, head, and so forth, out of the bus windows and/or doors;
- using rude, discourteous behavior directed toward the driver or other passengers;
- disobeying the bus driver or the aide/monitor;
- harassing, threatening, intimidating, or physically abusing or hitting another student; and
- fighting.

Repeated offenses will result in increasingly more severe penalties. Serious misconduct may result in other disciplinary action without regard to the number of offenses, up to and including suspension or expulsion from school, in accordance with board policy.

The following explanations detail the typical disciplinary action that will be taken with respect to misconduct associated with school bus transportation services.

First Offense

For a **level-one offense (*disorderly conduct*)**, the school bus driver will give the student a verbal warning and will contact the student's parents or send them a copy of the conduct report, advising them of the misconduct and the related actions taken by the driver.

For a **level-two offense (*disruptive conduct*)**, the school bus driver will submit a conduct report to the principal, or the district's designee, requesting a three-day suspension of the student from riding the school bus. The principal, or the district's designee, will act on the school bus driver's request before the student is allowed to ride the school bus to school again. The principal, or the district's designee, contact the student's parents or send them a copy of the conduct report, advising them of the misconduct and the related actions taken. The parents will be notified that a repeat of this misconduct or any other type of *disruptive conduct* will result in the student's immediate loss of five days of riding privileges. The principal, or the district's designee, may require the parents to come to the school for a conference with the principal, or the district's designee, prior to the student's being allowed to resume riding the bus.

For a **level-three offense (*criminal conduct*)**, school bus riding privileges will be lost. In this case, the school bus driver will submit a conduct report to the principal, or the district's designee, documenting the offense and requesting the loss of riding privileges. The school principal, or the district's designee, will act on the request before the student is allowed to ride the bus again. The principal, or the district's designee, may consider possible additional sanctions, and the principal, or the district's designee, will contact the student's parents or send them a copy of the conduct report, advising them of the misconduct and the related actions taken. The principal, or the district's designee, will invite the parents to come to the school for a conference with the principal, or the district's designee. While operating a route, the school bus driver may immediately contact law enforcement to deal with the conduct of a rider if it poses an immediate

danger to persons on or off the school bus. Actions related to rider conduct or sanctions must be in compliance with this policy; however, if the policy does not address a specific conduct, the principal, or the district's designee, shall have the authority to interpret the policy.

Second Offense

For a **level-one offense (*disorderly conduct*)**, the school bus driver will give the student demerits and will contact the student's parents or send them a copy of the conduct report, advising them of the misconduct and the related actions taken. The parents will be notified that a repeat of this misconduct or the student's engaging in any other form of *disorderly conduct* offense will result in his or her losing one day of riding privileges.

For a **level-two offense (*disruptive conduct*)**, the school bus driver will submit a conduct report to the principal, or the district's designee, requesting a five-day suspension of the student from riding the school bus. The principal, or the district's designee, will act on this request before the student is allowed to ride the bus again. The principal, or the district's designee, will contact the student's parents or send them a copy of the conduct report, advising them of the misconduct and the sanction to be issued. The principal, or the district's designee, will notify the parents that a repeat of this misconduct or the student's engaging in any other form of *disruptive conduct* will result in his or her losing riding privileges for the remainder of the school year. The principal, or the district's designee, may require the parents to come to the school for a conference with the principal, or the district's designee, prior to the student's being allowed to resume riding the bus. Actions related to rider conduct or sanctions must be in compliance with this policy; however, if the policy does not address a specific conduct, the principal, or the district's designee, shall have the authority to interpret the policy.

Third Offense

For a **level-one offense (*disorderly conduct*)**, with a student's having accumulated ten demerits (having committed three offenses), the school bus driver will submit a conduct report to the principal, or the district's designee, for a one-day suspension of the student from riding the school bus. The principal, or the district's designee, will act on the request before the student is allowed to ride the bus to school again. The principal, or the district's designee, will contact the student's parents or send them a copy of the conduct report, advising them of the misconduct and the sanction. The parents will be notified that a repeat of this misconduct or the student's engaging in any other form of *disorderly conduct* will result in his or her losing three days of riding privileges. Parents may be required to come to the school for a conference with the principal, or the district's designee, prior to the student's being allowed to resume riding the bus.

For a **level-two offense (*disruptive conduct*)**, the school bus driver will submit a conduct report to the principal, or the district's designee, for the loss of riding privileges for the year. The principal, or the district's designee, will act on this request before the student is allowed to ride the bus again. The principal, or the district's designee, will contact the student's parents or send

them a copy of the conduct report, advising them of the misconduct and the sanction. Parents may be asked to come to the school for a conference with the principal, or the district's designee. Actions related to rider conduct or sanctions must be in compliance with this policy; however, if the policy does not address a specific conduct, the principal, or the district's designee, shall have the authority to interpret the policy.

Fourth Offense

For a **level-one offense (*disorderly conduct*)**, the school bus driver will submit a conduct report to the principal, or the district's designee, for a three-day suspension of the student from riding the school bus. The principal, or the district's designee, will act on this request before the student is allowed to ride the bus again. The principal, or the district's designee, will contact the student's parents or send them a copy of the conduct report, advising them of the misconduct and the sanction. The parents will be notified that a repeat of this misconduct or the student's engaging in any other form of *disorderly conduct* will result in his or her losing riding privileges for five days. The principal, or the district's designee, may require the parents to come to the school for a conference with the principal, or the district's designee, prior to the student's being allowed to resume riding the bus. Actions related to rider conduct or sanctions must be in compliance with this policy; however, if the policy does not address a specific conduct, the principal, or the district's designee, shall have the authority to interpret the policy.

Fifth Offense

For a **level-one offense (*disorderly conduct*)**, the school bus driver will submit a conduct report to the principal, or the district's designee, for a five-day suspension of the student from riding the school bus. The principal, or the district's designee, will act on this request before the student is allowed to ride the bus again. The principal, or the district's designee, will contact the student's parents or send them a copy of the conduct report, advising them of the misconduct and the sanction. The parents will be notified that a repeat of this misconduct or the student's engaging in any other form of *disorderly conduct* will result in his or her losing riding privileges for the school year. The principal, or the district's designee, may require the parents to come to the school for a conference with the principal, or the district's designee, prior to the student's being allowed to resume riding the school bus.

When a student is suspended from riding a bus, he or she may not ride another bus during the suspension. Special consideration is given to students who have a "Section 504 Plan" or an Individualized Education Plan (IEP) that requires transportation services.

Under state law, South Carolina Code Section 59-63-220, no child, disabled or regular education, may be suspended from school more than ten days for an offense.

If the student with a disability is suspended from riding the bus and this action results in his or her suspension from school due to lack of transportation, the principal, or the district's designee,

shall take appropriate measures. The Office of Civil Rights may consider some suspensions from the school bus as suspensions from school, if the bus suspension prevents the child from attending school. Consultation with the district's special education department may be appropriate in reviewing such suspensions.

Adopted_____

Administrative Rule

CODE OF CONDUCT

Code Issued 7/2000

Level One: Disorderly Conduct

Disorderly conduct includes any activity in which a student engages that tends to impede the orderly operation of or disturbs school bus operating procedures or activities.

Acts of *disorderly conduct* include, but are not limited to, the following:

- delaying the operation of the school bus;
- lying to the driver or aide/monitor;
- acting in a manner that is not safety related but that interferes with the operation of the school bus;
- using abusive language among other students;
- failing to carry out directions issued by a staff person with supervisory responsibility;
- getting on or off the bus at an unauthorized stop without driver or aide/monitor permission;
- eating or drinking on the bus without driver or aide/monitor permission;
- standing or sitting improperly while the bus is moving;
- pushing, tripping, engaging in general horseplay;
- encouraging others to misbehave;
- defacing property (causing damage that the student can correct);
- littering
- throwing objects out of the bus without inflicting damage/injury;
- throwing objects inside the bus without inflicting damage/injury;
- throwing objects at the bus without inflicting damage/injury;
- refusing to sit in an assigned seat on the bus;
- having hands, arms, head, and so on, out of the bus windows and/or doors when the bus's main passenger loading door is closed; and
- violating other non-safety-related procedures.

In instances of *disorderly conduct*, the **school bus driver** shall administer the basic enforcement procedures as follows:

1. When the bus driver observes (or is notified about and verifies) an offense, the bus driver shall explain to the student the nature of his or her misconduct and clarify what conduct is acceptable.
2. The bus driver shall administer the appropriate action as is set forth in the Discipline/Conduct Matrix.

3. The bus driver shall explain to the student that a conduct report is being created that will record the student's misconduct and the action taken or recommended to the principal, or the district's designee.
4. The bus driver shall explain to the student what action will be taken if he or she commits another offense.
5. The bus driver shall create and keep updated a conduct record on the student. The conduct report will list the misconduct and the action taken or recommended to the principal, or the district's designee.
6. The school bus driver shall provide a copy of the student's conduct report to the principal, or the district's designee, immediately after the end of the bus route.
7. In the case of first and second offenses the bus driver shall send a copy of the student's conduct report to the student's parents or guardian. This report will contain an explanation of all misconduct and the related actions taken by the driver. The conduct report will also explain to the parent the recommended punishment if the student violates the Discipline Code again.

In instances of *disorderly conduct*, the **principal, or the district's designee**, shall work with the reporting school bus driver to administer the School Bus Rider Discipline Code and shall administer the basic enforcement procedures as follows:

1. In cases of a first or second offense, the principal, or the district's designee, on receipt of the conduct report from the school bus driver, shall support the discipline action of the school bus driver.
2. In cases of a third, fourth, fifth, or sixth offense, the principal, or the district's designee, shall immediately enforce the disciplinary recommendations of the Discipline Code. Enforcement prior to the student's next scheduled school bus trip.
3. In cases of a third, fourth, fifth, or sixth offense, the principal, or the district's designee, shall meet with the student and inform the student concerning the nature of his or her misconduct, the disciplinary action to be taken, and the effect of a repeating of this or the committing of another violation of the Discipline Code. The principal, or the district's designee, may add additional sanctions. In cases of student transportation *disorderly conduct*, the additional sanctions include, but are not limited to, the following:
 - a. school detention,
 - b. in-school suspension, and
 - c. out-of-school suspension.

4. In cases of a second, third, fourth, fifth, or sixth offense, the principal, or the district's designee, shall notify the parents of the student's misconduct and related proceedings. The principal, or the district's designee, shall offer to meet, if necessary, with the parents and confer about the student's misconduct and the effect of a repeat of this or the committing of another violation of the Discipline Code.
5. The principal, or the district's designee, shall maintain a complete record of the conduct report and all proceedings.

Level Two: Disruptive Conduct

Disruptive conduct includes those activities in which student engage that are directed against persons or property and the consequences of which tend to endanger the health or safety of the themselves or others. Some instances of *disruptive conduct* may overlap certain criminal offenses, justifying both administrative sanctions and court proceedings.

Acts of *disruptive conduct* may include, but are not limited to, the following:

- fighting;
- stealing;
- making threats against others;
- defacing property (causing less than \$100 in damage that the student cannot correct);
- harassing, threatening, intimidating, or physically abusing or hitting anyone;
- using profanity, abusive language, and/or obscene gestures;
- acting in a manner that interferes with the safe operation of the school bus;
- refusing to obey school personnel or agents (such as volunteer aides or chaperons) whose responsibilities include the supervision of students;
- possessing or using unauthorized substances, as defined by law or local school board policy;
- occupying or blocking the school bus in any way with the intent to deprive others of its use;
- possessing a paging, communication, or other such device against board policy;
- operating a radio or other audio device, a video, or other such devices against board policy;
- engaging in inappropriate verbal or physical conduct of a sexual or other nature; and
- acting in any other manner that interferes with the safe delivery of student transportation services.

In instances of *disruptive conduct*, the **school bus driver** shall administer the basic enforcement procedures as follows:

1. When the bus driver observes (or is notified about and verifies) an offense, the bus driver shall explain to the student the nature of his or her misconduct and clarify what conduct is acceptable.

2. The bus driver shall explain to the student that a conduct report is being created that will record the student's misconduct and the action recommended to the principal, or the district's designee.
3. The bus driver shall create and keep updated a conduct record on the student. The conduct report will list the misconduct and the action recommended to the principal, or the district's designee.
4. The school bus driver shall provide a copy of the student's conduct report to the principal, or the district's designee, immediately after the end of the bus route.

In instances of *disruptive conduct*, the **principal, or the district's designee**, shall administer the basic enforcement procedures as follows:

1. The principal, or the district's designee, shall immediately enforce the disciplinary recommendations of this Code. Enforcement shall occur prior to the student's next scheduled school bus trip.
2. The principal, or the district's designee, shall meet with the student and inform the student concerning the nature of his or her misconduct, the disciplinary action to be taken, and the effect of a repeating of this or the committing of another violation of the Discipline Code. The principal, or the district's designee, may also add additional sanctions. In cases of student transportation *disorderly conduct*, the additional sanctions include, but are not limited to, the following:
 - a. in-school suspension,
 - b. out-of-school suspension,
 - c. transfer,
 - d. referral to outside agency,
 - e. expulsion, and
 - f. restitution of property and damages where appropriate (should be sought by local school authorities).
3. The principal, or the district's designee, shall notify the parents of the student's misconduct and related proceedings. The principal, or the district's designee, shall offer to meet, if necessary, with the parents to confer about the student's misconduct the effect of a repeating of this or the committing of another violation of the Discipline Code.
4. The principal, or the district's designee, shall maintain a complete record of the conduct report and all proceedings.

Level 3: Criminal Conduct

Criminal conduct includes those activities in which students engage that result in violence to themselves or to another's person or property or that pose a direct and serious threat to the safety of themselves or others in or around the school bus and at the school bus stop while the bus is present. These activities usually require administrative actions that result not only in the immediate permanent removal of the student from the school bus and the school but also in the intervention of law enforcement authorities and/or in action by the board.

Acts of *criminal conduct* include, but are not limited to, the following on school-supervised property, equipment (including state- and district-owned school buses) and at school bus stops when the school bus is present:

- assault and battery;
- extortion;
- a bomb threat or other threat that directly endangers the safety of a person or the school bus;
- the possession, use, or transfer of a weapon;
- sexual offenses;
- the defacement or vandalism of property that results damages over \$100;
- the theft, possession, or sale of stolen property;
- arson or the threat of arson;
- the furnishing or selling of unauthorized substances, as defined by board policy; and
- the threat to take the life of or to inflict bodily harm upon the bus driver, aide/monitor, a teacher, principal, or the district's designee, or members of their immediate family.
- furnishing, selling, or possessing controlled substances (drugs, narcotics, or poisons)

In instances of *criminal conduct*, the **school bus driver** shall administer the basic enforcement procedures as follows:

1. When the bus driver observes (or is notified about and verifies) an offense, the school bus driver shall take immediate action to secure the other students.
2. The bus driver, where possible, shall immediately remove the offensive student from the school bus environment.
3. The bus driver shall immediately contact the principal, or the district's designee, and advise him or her concerning the *criminal conduct* and the actions taken. Depending on the circumstances of the criminal act, the bus driver may first contact a law enforcement agent.
4. The bus driver shall maintain and update the student's conduct report. The report will contain a record of the student's misconduct and the action recommended as presented in the Discipline/Conduct Matrix.
5. The bus driver shall immediately submit the student's conduct report to the principal, or the district's designee.

In instances of *criminal conduct*, the **principal, or the district's designee**, shall administer the basic enforcement procedures as follows.

1. The principal, or the district's designee, shall receive the verbal notice from the bus driver and shall support the action(s) taken by the driver.
2. As appropriate, the principal, or the district's designee, or other school official shall contact law enforcement and the district office.
3. The principal, or the district's designee shall, as soon as possible, assume the responsibility for managing the offensive student.
4. The principal, or the district's designee, shall immediately enforce the disciplinary recommendations of this Code. Enforcement shall occur prior to the student's next scheduled school bus trip.
5. The principal, or the district's designee, shall meet with the student and inform the student of his or her misconduct, the disciplinary action to be taken, and, when appropriate, the effect of a repeating of this or the committing of another violation of the Discipline Code. The principal, or the district's designee, may also add additional sanctions. In cases of student transportation *criminal conduct*, additional sanctions include, but are not limited to, the following:
 - a. out-of-school suspension,
 - b. assignment to an alternative school,
 - c. referral to outside agency,
 - d. expulsion, and
 - e. restitution of property and damages where appropriate (should be sought by local school authorities).
6. The principal, or the district's designee, shall notify the parents of the student's misconduct and related proceedings. The principal, or the district's designee, shall offer to meet, if necessary, with the parent to confer about the student's misconduct and, when appropriate, the effect of a repeating of this or the committing of another violation of the Discipline Code.
7. The principal, or the district's designee, shall maintain a complete record of the conduct report and all proceedings.

Discipline and Conduct Responsibility

The following matrix of offenses and frequency of occurrences identifies the level of sanction required. Administering the sanction(s) shall be the responsibility of the principal, or the district's designee, with the exception that the bus driver shall administer the first and second

disorderly conduct sanctions. It is the principal's, the district's designee's, responsibility to monitor all sanctions administered.

Discipline/Conduct Matrix

Unless otherwise stated, *disorderly conduct* will be considered an offense if it occurs inside the bus, around the bus, or at the bus stop. The term *occurrence* is defined as a single event in time. A single event may generate more than one offense; however, punishment will be administered for the most severe offense. All offenses will be recorded and will be considered should the offense be repeated. The term *principal* may also refer to the district's designee.

Offense	First Occurrence	Second Occurrence	Third Occurrence (10 demerits)	Fourth Occurrence
LEVEL ONE: DISORDERLY CONDUCT				
Getting on or off the bus at an unauthorized stop without driver or aide/monitor permission	Verbal warning <i>(issued by bus driver)</i>	Notice of 5 demerits <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges <i>(issued by principal)</i>	Loss of 3 days of riding privileges <i>(issued by principal)</i>
Lying to the driver or aide/monitor	Verbal warning <i>(issued by bus driver)</i>	Notice of 5 demerits <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges <i>(issued by principal)</i>	Loss of 3 days of riding privileges <i>(issued by principal)</i>
Eating and/or drinking on the bus	Verbal warning <i>(issued by bus driver)</i>	Notice of 5 demerits <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges <i>(issued by principal)</i>	Loss of 3 days of riding privileges <i>(issued by principal)</i>
Standing or sitting improperly while the bus is moving	Verbal warning <i>(issued by bus driver)</i>	Notice of 5 demerits <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges <i>(issued by principal)</i>	Loss of 3 days of riding privileges <i>(issued by principal)</i>
Delaying the operation of the school bus	Verbal warning <i>(issued by bus driver)</i>	Notice of 5 demerits <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges <i>(issued by principal)</i>	Loss of 3 days of riding privileges <i>(issued by principal)</i>
Intentionally riding a bus other than the assigned one without permission from the principal	Verbal warning <i>(issued by bus driver)</i>	Notice of 5 demerits <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges <i>(issued by principal)</i>	Loss of 3 days of riding privileges <i>(issued by principal)</i>
Continually making loud noises, yelling, and the like, on the bus	Verbal warning <i>(issued by bus driver)</i>	Notice of 5 demerits <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges <i>(issued by principal)</i>	Loss of 3 days of riding privileges <i>(issued by principal)</i>

Discipline/Conduct Matrix

Offense	First Occurrence	Second Occurrence	Third Occurrence (10 demerits)	Fourth Occurrence
LEVEL ONE (continued)				
Pushing, tripping, engaging in general horseplay	Verbal warning <i>(issued by bus driver)</i>	Notice of 5 demerits <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges <i>(issued by principal)</i>	Loss of 3 days of riding privileges <i>(issued by principal)</i>
Encouraging others to misbehave	Verbal warning <i>(issued by bus driver)</i>	Notice of 5 demerits <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges <i>(issued by principal)</i>	Loss of 3 days of riding privileges <i>(issued by principal)</i>
Defacing property, causing damage that student can correct (e.g., erasable writing or marking) on the bus	Verbal warning and must correct damage <i>(issued by bus driver)</i>	Notice of 5 demerits and must correct damage <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges and must correct damage <i>(issued by principal)</i>	Loss of 3 days of riding privileges and must correct damage <i>(issued by principal)</i>
Littering	Verbal warning and must pick up litter <i>(issued by bus driver)</i>	Notice of 5 demerits and must pick up litter <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges and must pick up litter <i>(issued by principal)</i>	Loss of 3 days of riding privileges and must pick up litter <i>(issued by principal)</i>
Throwing objects out of the bus	Verbal warning and must pick up objects <i>(issued by bus driver)</i>	Notice of 5 demerits and must pick up objects <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges and must pick up objects <i>(issued by principal)</i>	Loss of 3 days of riding privileges and must pick up objects <i>(issued by principal)</i>
Throwing objects inside of the bus	Verbal warning and must pick up objects <i>(issued by bus driver)</i>	Notice of 5 demerits and must pick up objects <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges and must pick up objects <i>(issued by principal)</i>	Loss of 3 days of riding privileges and must pick up objects <i>(issued by principal)</i>
Throwing objects at the bus	Verbal warning and must pick up objects <i>(issued by bus driver)</i>	Notice of 5 demerits and must pick up objects <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges and must pick up objects <i>(issued by principal)</i>	Loss of 3 days of riding privileges and must pick up objects <i>(issued by principal)</i>
Refusing to sit in an assigned seat on the bus	Verbal warning <i>(issued by bus driver)</i>	Notice of 5 demerits <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges <i>(issued by principal)</i>	Loss of 3 days of riding privileges <i>(issued by principal)</i>

Discipline/Conduct Matrix

Offense	First Occurrence	Second Occurrence	Third Occurrence (10 demerits)	Fourth Occurrence
LEVEL ONE (continued)				
Refusing to sit in an assigned seat on the bus	Verbal warning <i>(issued by bus driver)</i>	Notice of 5 demerits <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges <i>(issued by principal)</i>	Loss of 3 days of riding privileges <i>(issued by principal)</i>
Having hands, arms, heads, and so on, out the bus windows and/or doors when the bus's main passenger loading door is closed	Verbal warning <i>(issued by bus driver)</i>	Notice of 5 demerits <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges <i>(issued by principal)</i>	Loss of 3 days of riding privileges <i>(issued by principal)</i>
Using rude, discourteous behavior directed toward anyone	Verbal warning <i>(issued by bus driver)</i>	Notice of 5 demerits <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges <i>(issued by principal)</i>	Loss of 3 days of riding privileges <i>(issued by principal)</i>
Violating other non-safety- related procedures	Verbal warning <i>(issued by bus driver)</i>	Notice of 5 demerits <i>(issued by bus driver)</i>	Loss of 1 day of riding privileges <i>(issued by principal)</i>	Loss of 3 days of riding privileges <i>(issued by principal)</i>

Discipline/Conduct Matrix

Offense	First Occurrence	Second Occurrence	Third Occurrence	Fourth Occurrence
LEVEL TWO: DISRUPTIVE CONDUCT				
Fighting	Loss of 3 days of riding privileges <i>(issued by principal)</i>	Loss of 5 days riding privileges <i>(issued by principal)</i>	Loss of riding privileges <i>(issued by principal)</i>	
Defacing property, causing damage that the student cannot correct (e.g., marking on the bus, cutting seats) on the bus	Loss of 3 days of riding privileges and must make restitution for damages <i>(issued by principal)</i>	Loss of 5 days riding privileges and must make restitution for damages <i>(issued by principal)</i>	Loss of riding privileges and must make restitution for damages <i>(issued by principal)</i>	
Harassing, threatening, intimidating, or physically abusing or hitting anyone	Loss of 3 days of riding privileges <i>(issued by principal)</i>	Loss of 5 days riding privileges <i>(issued by principal)</i>	Loss of riding privileges <i>(issued by principal)</i>	
Using an intoxicant, a substance that is not illegal	Loss of 3 days of riding privileges <i>(issued by principal)</i>	Loss of 5 days riding privileges <i>(issued by principal)</i>	Loss of riding privileges <i>(issued by principal)</i>	
Stealing	Loss of 3 days of riding privileges <i>(issued by principal)</i>	Loss of 5 days riding privileges <i>(issued by principal)</i>	Loss of riding privileges <i>(issued by principal)</i>	
Possessing and/or using any tobacco product	Loss of 3 days of riding privileges <i>(issued by principal)</i>	Loss of 5 days riding privileges <i>(issued by principal)</i>	Loss of riding privileges <i>(issued by principal)</i>	
Using profanity, abusive language, and/or obscene gestures	Loss of 3 days of riding privileges <i>(issued by principal)</i>	Loss of 5 days riding privileges <i>(issued by principal)</i>	Loss of riding privileges <i>(issued by principal)</i>	
Refusing to obey safety instructions of school personnel or agents (such as volunteer aides or chaperons) whose responsibilities include supervision of students	Loss of 3 days of riding privileges <i>(issued by principal)</i>	Loss of 5 days riding privileges <i>(issued by principal)</i>	Loss of riding privileges <i>(issued by principal)</i>	
Occupying or blocking the school bus in any way with the intent to deprive others of its use	Loss of 3 days of riding privileges <i>(issued by principal)</i>	Loss of 5 days riding privileges <i>(issued by principal)</i>	Loss of riding privileges <i>(issued by principal)</i>	

Discipline/Conduct Matrix

Offense	First Occurrence	Second Occurrence	Third Occurrence	Fourth Occurrence
LEVEL TWO (continued)				
Possessing a paging or communication device	Loss of 3 days of riding privileges <i>(issued by principal)</i>	Loss of 5 days riding privileges <i>(issued by principal)</i>	Loss of riding privileges <i>(issued by principal)</i>	
Operating a radio or other audio or video device on the bus	Loss of 3 days of riding privileges <i>(issued by principal)</i>	Loss of 5 days riding privileges <i>(issued by principal)</i>	Loss of riding privileges <i>(issued by principal)</i>	
Engaging in inappropriate verbal or physical conduct of a sexual nature	Loss of 3 days of riding privileges <i>(issued by principal)</i>	Loss of 5 days riding privileges <i>(issued by principal)</i>	Loss of riding privileges <i>(issued by principal)</i>	
Acting in any other manner that interferes with the safe operation of the school bus	Loss of 3 days of riding privileges <i>(issued by principal)</i>	Loss of 5 days riding privileges <i>(issued by principal)</i>	Loss of riding privileges <i>(issued by principal)</i>	

Discipline/Conduct Matrix

Offense	First Occurrence	Second Occurrence	Third Occurrence	Fourth Occurrence
LEVEL THREE: CRIMINAL CONDUCT				
Assault and battery	Loss of riding privileges <i>(issued by principal)</i>			
Extortion	Loss of riding privileges <i>(issued by principal)</i>			
Bomb threat or other threat that directly endangers the safety of a person or the school bus	Loss of riding privileges <i>(issued by principal)</i>			
Possession, use, or transfer of a dangerous weapon	Loss of riding privileges <i>(issued by principal)</i>			
Sexual offenses	Loss of riding privileges <i>(issued by principal)</i>			
Defacement/vandalism of property, causing more than \$100 damage	Loss of riding privileges <i>(issued by principal)</i>			
Theft, possession, or sale of stolen property	Loss of riding privileges <i>(issued by principal)</i>			
Arson or threat of arson	Loss of riding privileges <i>(issued by principal)</i>			
The furnishing or selling of unauthorized substances, as defined by board policy	Loss of riding privileges <i>(issued by principal)</i>			
The threat to take the life of or inflict bodily harm upon the bus driver, aide/monitor, a teacher, principal, or members of their immediate family	Loss of riding privileges <i>(issued by principal)</i>			

Extenuating, Mitigating, or Aggravating Circumstances

The board may give the appropriate administrator the authority to consider extenuating, mitigating, or aggravating circumstances that may exist in a particular case of misconduct. The administrator shall consider such circumstances in determining if the sanction shall be other than those described in the Discipline/Conduct Matrix.

Student Conduct away from School Facilities and Grounds

The board expects principals, or district's designees, to investigate student conduct away from school buses, school bus stop locations, and school grounds that may have a direct and detrimental effect on the discipline or general welfare of district school programs. When assessing the impact of out-of-school behavior on the school, the principal, or the district's designee, should take into consideration the seriousness of the alleged out-of-school offense and the protection of students, bus drivers, aides/monitors, administrators, teachers, and other staff from the effects of violence, drugs, and/or disruptions.

Principals, or district's designees, are directed to evaluate each situation on a case-by-case basis. At a minimum, principals, or district's designees, or their designees, shall meet with the student upon his or her arrival at school, give the student notice of the concerns based on the reported out-of-school behavior, and allow the student an opportunity to present his or her side of the story. Based upon all of the circumstances, including a finding that the alleged conduct will have a direct and immediate effect on the school, the administration may either permit the student to attend classes as usual and/or take other appropriate disciplinary action. The parents of students shall be notified of any action taken by the school bus driver or the principal, or the district's designee, and shall be offered the opportunity for a conference with the school bus driver and/or the principal, or the district's designee.

In the event that the student is incarcerated because of his or her out-of-school conduct, the principal, or the district's designee, shall notify the student that he or she is to meet with the administration prior to returning to school or riding on any school bus.

Note regarding special education students: Administrators must also ensure that all procedural safeguards afforded to special education students are also implemented in such circumstances.

Special Conduct Rules

Paging/Communication Devices

No student may possess a paging or other communication device while

- on a school bus,
- on school property, or
- attending a school sponsored or school-related activity on or off school property.

The district will make an exception to this rule under the following circumstances:

- A. A student under the age of eighteen may possess a paging device if the student needs the paging device for a legitimate medical reason.
- B. A student aged eighteen or over may possess a paging device if the student is an active member of a volunteer fire fighting organization, if the student is an active member of a volunteer emergency service organization, or if the student needs the paging device for a legitimate medical reason.

Before a student may have a paging device at school or on a school bus, the principal, or the district's designee, must have written, approved evidence on file of the student's medical need or active membership in voluntary fire fighting or emergency medical service organization. The principal, or the district's designee, must inform the bus driver(s) of the routes the student is scheduled to ride before the paging device will be allowed on the school bus.

The principal, or the district's designee, of each school shall decide what constitutes a legitimate medical reason consistent with any guidelines established by this board and/or by the State Department of Education.

A student who has a paging device without permission as outlined in the Discipline Code is subject to discipline as provided by board policy.

A person who finds a student in possession of a paging or other communication device without permission must report the student to the school principal, or the district's designee, or to the school bus driver if the possession occurs on a school bus. The school bus driver shall forward the report to the principal, or the district's designee. The principal, or the district's designee, or a peace officer must confiscate the device. The device will be forfeited to the school district.

Discipline of Students with Disabilities

A student identified as disabled pursuant to after “Section 504–disabled”) or as disabled pursuant to the Individuals with Disabilities Education Act (hereinafter “IDEA-disabled”) may not be suspended from school for more than ten days for any one offense or for more than a total of ten days in a school year if the suspension of the student for more than ten days in a school year constitutes a “change in placement” under federal standards. Unless pursuant to the procedural requirements described in part B of this policy, the student’s behavior resulting in suspension is determined not to be a manifestation of the student’s disability.

Whether or not a “change in placement” has occurred depends on if the child has been subject to a series of removals that constituted a pattern because they cumulate to more than ten school days and,

- a. the length of each suspension;
- b. the proximity of the suspensions to one another; and
- c. the total amount of time the student is excluded from the classroom.

The determination as to whether or not a change in placement would occur must depend on the circumstances of each case and must therefore be made on a case-by-case basis.

A. Discipline Options

If a disabled student violates the district’s Code of Conduct, a school administrator may order the student to an alternative placement (as determined by the IEP team) or suspend the student for a maximum of ten school days and with the consultation of the director of special services is not required for the first ten days of suspension, however, it is recommended.

If a disabled student (1) carries a dangerous weapon on a school bus, at a school bus stop while the school bus is present, to school, or to a school function or (2) knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while on a school bus, at a school bus stop while the bus is present, at school, or at a school function, the school administrator may refer the child to an appropriate interim alternative educational setting (as determined by the IEP team) for up to forty-five calendar days.

The term “dangerous weapon” is defined in Section 930(g)(2) of Title 18 of the United States Code as “a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 22 inches in length.”

Procedures to be Followed

These procedures are to be followed when disciplinary actions described in item A, above, are imposed, as required by the Individuals with Disabilities Education Act Amendments of 1997, including instances when disciplinary actions amount to a suspension or change in placement for more than ten days:

1. The school shall conduct a functional behavioral assessment.

Either before or not later than ten days after taking a disciplinary action,

- a. either the school shall convene an IEP meeting to develop an assessment plan to address the behavior if the school did not conduct a functional behavioral assessment and implement a behavioral intervention plan for the student before the suspension was imposed; or
- b. if the student already has a behavioral intervention plan, the IEP team shall review the plan and modify it, as necessary, to address the behavior.

2. The school shall conduct a manifestation determination.

The IEP team must also conduct a manifestation determination immediately if possible, but not later than ten school days after taking a disciplinary action, with the participation of the parents, in accordance with the IDEA.

If the multidisciplinary team determines that the student's misconduct was a manifestation of his or her disability, any disciplinary action may not exceed ten days or, in the case of a dangerous weapon or drug offense, forty-five days. However, the Section 504 team or the IEP team may consider changes in the student's program.

If the multidisciplinary team determines that an IDEA-disabled student's misconduct was not a manifestation of his or her disability, the student may be disciplined to the same extent that a nondisabled student may be disciplined, subject to procedural safeguards; however, a free appropriate public education referenced in 20 United States Code (U.S.C.) § 1412(a)(1)(A) and § 1415(k), as determined by the IEP team, must continue to be provided to the student but may be provided in an alternative setting.

If the multidisciplinary team determines that a Section 504-disabled student's misconduct was not a manifestation of his or her disability, the student may be expelled as otherwise provided for by district policy or procedure. In such cases, the district is not obligated to continue educational services.

3. The district may seek a court injunction or a forty-five-day interim alternative placement.

In appropriate circumstances, the district may seek a court injunction or an order from a hearing officer to allow disciplinary removals of disabled students beyond the time limits set forth above.

Constitutional and statutory provisions related to this code:

A. S.C. Code 1976, as amended:

1. Section 59-19-90 (3). General powers and duties of school trustees.
2. Section 59-63-210. Grounds for which trustees may expel, suspend or transfer pupils; petition for readmission.
3. Section 59-63-220. Suspension of pupils by administrator.
4. Section 59-63-230. Notices of suspensions; conferences with parents or guardian.
5. Section 59-63-240. Expulsion for remainder of year; hearings.
6. Section 59-63-250. Transfer of pupils.
7. Section 59-63-260. Corporal punishment.
8. Section 59-63-270. Regulation or prohibition of clubs or like activities.
9. Section 59-67-240. Other duties of driver; discipline of pupils for misconduct.

B. 20 U.S.C. § 1400 et seq.; issued 6/24/97; revised.